

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	Attorney Docket No.: <b>ICB0264</b>
	)	
Roman MERZ et al.	)	Confirmation No.: 5515
	)	
Serial No.: 10/597,067	)	Group Art Unit: 4147
	)	
Filed: July 10, 2006	)	Examiner: Santiago GARCIA
	)	
For: WIRELESS DATA	)	Date: February 16, 2010
COMMUNICATION METHOD VIA	)	
ULTRA-WIDE BAND ENCODED	)	
DATA SIGNALS, AND RECEIVER	)	
DEVICE FOR IMPLEMENTING THE	)	
SAME	)	

**TELEPHONE INTERVIEW SUMMARY**

**MAIL STOP: AF**

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Alexandria, VA 22314

Sir:

In view of the telephone interview conducted between Examiner Santiago Garcia (571-270-5182) and Applicants' attorney, Wesley Ashton, on February 12, 2010, please enter the following remarks in application identified above in accordance with MPEP § 713.04:

**Remarks/Arguments** begin on page 2 of this paper.

**REMARKS**

Applicant's attorney, Wesley Ashton, called Examiner Santiago Garcia on February 8, 2010 and left a voicemail message for the Examiner regarding the Final Office Action mailed January 21, 2010. The Examiner contacted Applicants' attorney, Wesley Ashton, by phone on February 12, 2010, and the Final Office Action was discussed. More specifically, there are several errors in the Final Office Action that require correction. For example, the Examiner indicated that all prior Section 103 rejections were withdrawn, but the Final Office Action asserts claim 24 stands rejected under 35 U.S.C. § 103 as allegedly obvious over Cowie (U.S. Patent Application No. 2003/0095609, hereafter the "Cowie Publication") in view of Cattaneo (U.S. Patent Application No. 2003/0095609, hereafter the "Cattaneo Publication"). Furthermore, the Final Office Action concedes that claim 23 contains allowable subject matter, and claim 24 depends upon claim 23. The Examiner told Applicant's attorney that claim 24 contains allowable subject matter and the Section 103 rejection regarding claim 24 based on Cowie and Cattaneo Publications should be withdrawn.

With respect to claim 26, on the other hand, which depends upon claim 20, the Examiner contends that this claim should be rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over the Cowie Publication in view of Fette (U.S. Patent Publication No. 2004/0264403, hereafter the "Fette Publication"), and further in view of Batra (U.S. Patent 7,397,870, hereafter the "Batra Patent") instead of over the combination of only the Cowie Publication and the Batra Patent (c.f., Final Office Action, mailed January 21, 2010, at 10, lines 14-15).

In view of the errors in the Final Office Action mailed January 21, 2010, the Examiner agreed to issue a new Final Office Action to clarify the record by correcting the errors in the January 21<sup>st</sup> Office Action. The Examiner informed Applicants' attorney that the new Final Office Action will withdraw, and replace, the Final Office Action of January

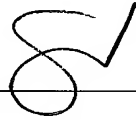
21, 2010 so that the statutory time period to respond will be reset to the date of mailing of the new, replacement Final Office Action.

The Examiner confirmed that claims 23, 24, 27, 28, 29, 30 and 35 contain allowable subject matter. The Examiner also indicated that if the allowable subject matter of claim 27 were incorporated into claim 18, then claim 18 would be allowable as well as all claims depending upon claim 18.

Questions are welcomed by the below-signed attorney for Applicants.

Respectfully submitted,

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